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10/512,048	10/21/2004	Kari Pulkkinen	0365-0609PUS1	8405
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EXAMINER				
KAZMI, HANI M				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary**Application No.**

10/512,048

Applicant(s)

PULKKINEN ET AL.

Examiner

Hani Kazimi

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to Applicant's amendment filed on October 22, 2008. Claims 1-17 are pending in the application.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/2008 has been entered.

Claim Rejections - 35 USC § 112

2. Claims 1-14 and 16 recite the limitation "the proxies". There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Mattila et al. (2003/0065777).

Claim 15, Mattila discloses a method for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057), in which method applications communicate with the Pre-Paid platform (page 6, paragraph 0057), wherein,

the application including at least one of multimedia messaging (MMS), short message service (SMS), or general packet radio system (GPRS) (page 1, paragraph 0005), and wherein, the application is arranged to communicate with a proxy and the Pre-Paid platform correspondingly with a charging module (page 3, paragraph 0034;

Figure 1), in which case the proxy and the charging module communicated with each other in a logically predefined manner, in which case

the proxy is used to collect and manage amount of service used by a customers, charging model, an identification of a service used, and data concerning rating (page 5, paragraph 0049),

the proxy sends the charging module data concerning the amount of service used by the customer, the charging model, the identification of the service used, and the data concerning rating (page 4, paragraph 0043, via transaction handler receives download transaction request and processes the ticket; page 5, paragraph 0045, via transaction handler calls charging handler), and

the charging module is used to charge the customer's Pre-Paid account, which is located on the Pre-Paid platform, or coupled to the Pre-Paid platform by converting charging information received from the proxy into a format understood by the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057, via pre-paid charging methodology).

Claim 17, Mattila discloses a method for managing customer accounts in connection with a Pre-Paid platform, the method comprising the steps of receiving, at a proxy, a request for service from a subscriber; determining, at the proxy, a service code associated with the requested service; sending charge data, including the service code, to a charging module (page 3, paragraph 0034; Figure 1); converting, in the charging module, the received charge data and service code into a predefined format accepted

by the Pre-Paid platform (page 3, paragraph 0034, via call-detail record); sending the converting charge data to the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057); receiving an indication from the Pre-Paid platform as to whether the subscriber has an adequate balance to cover the requested service (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds); and controlling, by the proxy, whether or not the requested service is provided based on the received indication (pages 4-5, paragraphs 0043-00444, via transaction handler 204).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 and 10-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattila et al. (2003/0065777) in view of Westman et al. (2004/0057442).

Claim 1, Mattila discloses a method for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057), comprising:
applications communicate with the Pre-Paid platform (page 6, paragraph 0057)

the applications are arranged to communicate with at least one proxy and the Pre-Paid platform correspondingly with a charging module, in which case the proxy and the charging module communicated with each other in a logically predefined manner (page 3, paragraph 0034; Figure 1), the proxy is used to collect and manage the services used by the customers, the charging models, and the rating (page 5, paragraph 0049; Figure 1, via DLS 102),

the charging module is used to bill the customer's Pre-Paid account, which is located on the Pre-Paid platform, or in a system behind the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057), wherein the charging module charges a customer's Pre-Paid account by converting charging information received from the proxy into a format understood by the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057), the proxy is used to control the delivery of the service used by the user (pages 4-5, paragraphs 0043-00444, via transaction handler 204), and the proxy prevents services being delivered to the user, if the user's pre-paid account is empty, or if the price of the service is greater than the funds in the Pre-Paid account (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds).

However, Mattila fails to expressly disclose several proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing customer accounts in connection with a Pre-Paid platform of Mattila et al. to include several proxies as taught by Westman in order to make different connections.

Claim 2, Mattila discloses the proxy is used to collect the price of the services used by the user and other similar data and to transmit this data to the charging module (page 5, paragraph 0049).

Claim 3, Mattila discloses price data is formed according to various billing principles (page 3, paragraph 0034; page 4, paragraph 0035; page 5, paragraph 0049).

Claim 4, Mattila discloses the proxy is used to control the delivery of the service used by the user (pages 4-5, paragraphs 0043-0044, via transaction handler 204).

Claim 5, Mattila discloses that a service code is transmitted to the Pre-Paid platform with the aid of a call's B-number formed by the charging module (pages 3-4, paragraphs 0034-0035; page 5, paragraph 0049; via the resource address or URL identifies the service and the termination number is the B-number).

Claim 6, Mattila discloses the proxy prevents services being delivered to the user, if the user's pre-paid account is empty, or if the price of the service is greater than

the funds in the Pre-Paid account (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds).

However, Mattila fails to expressly disclose multiple proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing customer accounts in connection with a Pre-Paid platform of Mattila to include several proxies as taught by Westman in order to make different connections.

Claim 7, Mattila discloses the charging module (PCN) transfers to the Pre-Paid platform the real amount of the value of the service ordered by the user, in cash or other consideration, from the user's Pre-Paid account (page 4, paragraph 0035; page 6, paragraph 0057).

Claim 10, Mattila discloses converting the price or rating data obtained from the proxy into voice-calls (page 3, paragraph 0034, via call-detail record).

Claim 11, Mattila discloses call data includes at least a B-number and a time definition (page 3, paragraph 0034).

Claim 12, Mattila discloses a Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057; Figure 1; page 3, paragraph 0034, via DLS provides facilities for charging a user's prepaid account), in which mediator there are

a charging means unit for communicating with the Pre-Paid platform (page 3, paragraph 0034), and

at least one proxy for communicating with applications (SMS, GPRS, MMS) (page 3, paragraph 0030), wherein

a data-transfer interface in the direction of the applications is formed to be logically one-way, in which case the proxies can be made modular (page 3, paragraphs 0027-0028, via WAP allows for modularity),

the proxy include a unit for collecting and/or managing the price and other similar data of the services used by customers (page 5, paragraph 0049; Figure 1, via DLS 102; page 7, paragraph 0064, via invention may involve one or more processing systems), and

the charging unit includes a unit for charging a customer's Pre-Paid account in the Pre-Paid platform by converting charging information received from the proxy into a format understood by the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057),

the proxy is used to control the delivery of the service used by the user (pages 4-5, paragraphs 0043-00444, via transaction handler 204), and

the proxy prevents services being delivered to the user, if the user's pre-paid account is empty, or if the price of the service is greater than the funds in the Pre-Paid account (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds).

However, Mattila fails to expressly disclose several proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform of Mattila to include several proxies as taught by Westman in order to make different connections.

Claim 13, Mattila discloses the proxy is not in direct contact with the Pre-Paid platform (Figure 1; page 3, paragraph 0027; via indirect contact through the Internet).

However, Mattila fails to expressly disclose multiple proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform of Mattila to include several proxies as taught by Westman in order to make different connections.

Claim 14, Mattila discloses a machine-readable medium having instructions stored thereon, such that when the instructions are read and executed by a processor (page 7, paragraphs 0060-0061, via programs having computer-readable program code embodied within computer-usable media), the processor is configured to perform the steps of:

applications communicate with the Pre-Paid platform (page 6, paragraph 0057, via pre-paid charging methodology), wherein,

the applications are arranged to communicate with at least one proxy and the Pre- Paid platform correspondingly with a charging module, in which case the proxy and the charging module communicated with each other in a logically predefined manner (page 3, paragraph 0034; Figure 1), in which case

the proxy is used to collect and manage the services used by the customers, the billing models, and rating (page 5, paragraph 0049; Figure 1, via DLS 102; page 7, paragraph 0064, via invention may involve one or more processing systems), and

the charging module is used to charg a customer's Pre-Paid account, which is located on the Pre-Paid platform, or in a system behind the Pre-Paid platform by

converting charging information received from the proxy into a format understood by the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057), wherein

the proxy is used to control the delivery of the service used by the user (pages 4-5, paragraphs 0043-00444, via transaction handler 204), and

the proxy prevents services being delivered to the user if the user's pre-paid account is empty, or if the price of the service is greater than the funds in the Pre-Paid account (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds).

However, Mattila fails to expressly disclose several proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the machine-readable medium of Mattila to include several proxies as taught by Westman in order to make different connections.

Claim 16, Mattila discloses a Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057; Figure 1; page 3, paragraph 0034, via DLS provides facilities for charging a user's prepaid account), in which mediator includes

a charging module for communicating with the Pre-Paid platform (page 3, paragraph 0034), and

at least one proxy for communicating with at least one application including at least one of short message service (SMS), general packet radio system (GPRS), or multimedia messaging (MMS) (page 3, paragraph 0030; page 1, paragraph 0005, via SMS), wherein

the data-transfer interface in the direction of the applications is formed to be logically one-way, in which case the proxies can be made modular (page 3, paragraphs 0027-0028, via WAP allows for modularity),

the proxy includes a unit for collecting and managing an amount of services used by a customer, data concerning pricing and an identification of a service used by a customer (page 5, paragraph 0049; Figure 1, via DLS 102; page 7, paragraph 0064, via invention may involve one or more processing systems),

the proxy sends the charging module the amount of services used by the customer, the data concerning pricing and the identification of the service used by the customer (page 4, paragraph 0043, via transaction handler receives download transaction request and processes the ticket; page 5, paragraph 0045, via transaction handler calls charging handler), and wherein

the charging module includes a unit for charging a customer's Pre-Paid account in the Pre-Paid platform Claim 15, Mattila discloses a method for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057), in which method

applications communicate with the Pre-Paid platform (page 6, paragraph 0057), wherein,

the application including at least one of multimedia messaging (MMS), short message service (SMS), or general packet radio system (GPRS) (page 1, paragraph 0005), and wherein, the application is arranged to communicate with a proxy and the Pre-Paid platform correspondingly with a charging module (page 3, paragraph 0034; Figure 1), in which case the proxy and the charging module communicated with each other in a logically predefined manner, in which case

the proxy is used to collect and manage amount of service used by a customers, charging model, an identification of a service used, and data concerning rating (page 5, paragraph 0049),

the proxy sends the charging module data concerning the amount of service used by the customer, the charging model, the identification of the service used, and the data concerning rating (page 4, paragraph 0043, via transaction handler receives download transaction request and processes the ticket; page 5, paragraph 0045, via transaction handler calls charging handler), and

the charging module is used to charge the customer's Pre-Paid account, which is located on the Pre-Paid platform, or coupled to the Pre-Paid platform by converting charging information received from the proxy into a format understood by the Pre-Paid platform (page 3, paragraph 0034; page 6, paragraph 0057, via pre-paid charging methodology).

However, Mattila fails to expressly disclose several proxies.

Westman teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform of Mattila to include several proxies as taught by Westman in order to make different connections.

5. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattila et al. in view of Westman et al., and further in view of Stille et al. (6,724,748)

Claim 8, the Mattila and Westman combination discloses all elements of the claimed invention as written above, but fails to expressly disclose that the charging module transmits the billable data to the Pre-Paid platform, using an INAP protocol.

Stille teaches using an INAP protocol (col. 2, lines 20-47).

From this teaching of Stille, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing customer accounts of the Mattila and Westman combination to include using an INAP protocol taught by Stille because INAP is a signaling protocol for intelligent networks that is used

in addition to standard telecommunication protocols and provides additional functionalities.

Claim 9, the Mattila and Westman combination discloses all elements of the claimed invention as written above, but fails to expressly disclose that the charging modules transmits the billable data to the Pre-Paid platform, using a CAP protocol.

Stille teaches using a CAP protocol (col. 2, lines 20-47).

From this teaching of Stille, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing customer accounts of the Mattila and Westman combination to include using an CAP protocol taught by Stille because CAP is a signaling protocol based on INAP and also brings additional benefits.

Response to Arguments

6. Applicant's arguments with respect to claims 1-17 filed on October 22, 2008 have been considered but are not persuasive. The response is addressed in the rejections above.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691